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Attorneys for Plaintiff GE COMMERCIAL  
DISTRIBUTION FINANCE CORPORATION,  
a Delaware Corporation

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Eugene Division

GE COMMERCIAL  
DISTRIBUTION FINANCE  
CORPORATION, a Delaware  
corporation,

Case No.: 10-6214-AA

Plaintiff,

~~PROPOSED~~ TEMPORARY  
RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE

v.

CYCLE SPORTS OF SALEM,  
INC., an Oregon corporation,  
DAVID E. COLFAX, an  
individual, KATHY COLFAX, an  
individual, CAPITAL  
NORTHWEST, INC. an Oregon  
corporation,

Defendants.

This cause, having come before this United States District Court on the 23<sup>rd</sup> day of  
July, 2010, Hon. Ann Aiken Chief District Judge, presiding, on  
the Motion of Plaintiff GE Commercial Distribution Finance Corporation ("CDF") for the

issuance of an Order for relief in the nature of claim and delivery as against Defendant Cycle Sports of Salem, Inc. ("Borrower") commanding the redelivery of certain collateral subject to a security interest in favor of CDF, and the motion, pursuant to FRCP 64, for an Order temporarily enjoining and restraining Borrower from transporting, transferring, concealing, alienating, encumbering, disposing of, or removing the following collateral currently located at Borrower's business facilities at 4764 Portland Road, Salem, Oregon 97305; 1465 Johnson Street, Salem, Oregon 97301; and 555 River Road, Eugene, Oregon 97401:

- (i) inventory, accounts, chattel paper, documents, equipment, fixtures, general intangibles and instruments, (including without limitation and whether or not included in the foregoing, Seller Credits, deposit accounts, certificates of deposit) and books, records, disks, and tapes,
- (ii) all accessions, accessories and replacements to or of the foregoing,
- and (iii) all proceeds and products of the foregoing including without limitation all inventory described in Exhibit A attached hereto


(collectively, the "Collateral").

NOW, THEREFORE, based on the allegations set forth in the Complaint, the Declaration of Matthew Kruger, CDF's Motion for a Temporary Restraining Order is ALLOWED, such that upon the posting with the Clerk of this Court a bond in the amount of \$3,200,000.00 by CDF, which bond has been presented to the Court in a form acceptable to the Court, Borrower, its agents, employees, officers and servants, are hereby TEMPORARILY ENJOINED AND RESTRAINED from transporting, transferring, concealing, alienating, encumbering, disposing of, or removing the Collateral, and it is further

ORDERED, that Borrower shall appear and SHOW CAUSE why this Court should not allow CDF's prayer for a Prejudgment Order for Claim and Delivery directing Borrower to redeliver the Collateral forthwith, at a hearing to be held on the 30<sup>th</sup> day of July, 2010 at 1:30 pm before this Court. Service of a copy of this

Order, along with copies of the papers presented in support of CDF's motion, a summons, and the Complaint, in hand to an officer, to a managing or general agent, or to the person in charge of the business at the principal place of business of Borrower in accordance with FRCP 4(h), on or before the 26 day of July, 2010, shall be deemed good and sufficient notice thereof.

DATED: July 23 2010.

  
Hon. Amy C. Baker  
United States District Court Judge

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